UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,556	09/05/2006	Thomas Zeng	129250-002283	7224

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/598,556	ZENG ET AL.
	Examiner	**Art Unit**	
	GIGI L. DUBASKY	2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>16 November 2009</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,4-9,12-17 and 20-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1,4-9,12-17 and 20-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Claims 1, 4-9, 12-17 and 20-24 are pending.

1.   Applicants' arguments in the Remarks filed on 11/16/2009 have been fully

considered but they are not persuasive.

In response to the Applicants' arguments on pages 6-7 that "Schlzrinne does not

appear to disclose the use of an RTSP navigation message", "the combination of

Deshpande, Schulzrinne and Tao does not disclose or suggest the feature of a timing

parameter operable to indicate when an RTSP navigation message is to be activated by

a network node", "not the Tao's generalized depository" and "Deshpande's requested

playlist is unrelated to a 3-tuple pointer of any kind whatsoever", examiner respectfully

disagrees.

Even though Schlzrinne does not disclose the use of an RTSP navigation

message, Deshpande does discloses an RTSP navigation message. Deshpande

discloses the client sends a RTSP PLAY request (message) to the RTSP server for

playing each video segment in the requested playlist with the corresponding npt time

value to indicate when to playback each video segment or when to switch to the next

video segment (¶ [0105]-[0108]). It means that Deshpande's RTSP PLAY request is a

navigation message to playback between video segments in the requested playlist.

The combined system of Deshpande, Schlzrinne and Tao, Schlzrinne per se, does disclose the RTSP PLAY message includes a time parameter as one of its fields to specify a time in UTC at which the playback should start (section 10.5) or at which the operation is to be made effective (section 12.29).

Tao's depository is not generalized. Tao's depository of digital multimedia content is organized into a nested hierarchical arrangement having a plurality of levels to manage a playout control of a plurality of playlists (abstract, Col 1 lines 44-58 and Figure 10), including playlist management of a plurality of playlist IDs (Figure 11) to edit a selected playlist (Figure 13) and to create a new playlist (Figure 14) (Col 9 line 65 through Col 10 line 38), clip management of a plurality of clip IDs (Figure 12) to manage the clips within a selected playlist (Col 10 lines 41-67). With the hierarchical process level of Tao's depository as described above, Tao's each playlist is also as a multidimensional pointer associated with a plurality of media clip IDs.

Deshpande discloses a RTSP requested playlist that includes information about a number of individual media files/videos (¶ [0004] lines 1-5) and has segments from different videos stored on different servers (¶ [0049] lines 1-9). It means that Deshpande's playlist is also a multidimensional pointer associated with a number of different videos whose segments are within playlist.

Therefore the combined system of Deshpande, Schlzrinne and Tao still discloses all limitations of the amended claims 1, 9 and 17.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 4-9, 12-17 and 20-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Deshpande (US 2005/0071881) in view of Schulzrinne (RFC 2326 –

Real Time Streaming Protocol (RTSP), April 1998) and further in view of Tao et al (US

6441832).

Regarding claim 1, Deshpande discloses a method for retrieving digital

multimedia content from a network node, comprising:

receiving a Real-Time Streaming Protocol (RTSP)-compliant PLAYLIST_PLAY

navigation message, that includes at least one multidimensional pointer at said network

node, said multidimensional pointer associated with a media clip in a depository of

digital multimedia content (¶ [0105]-[0108] for sending a RTSP PLAY request

(message) to the RTSP server from the client for playing each video segment in the

requested playlist with the corresponding npt time value to indicate when to playback

each video segment or when to switch to the next video segment; ¶ [0046] lines 1-4 for

transmitting data from client to server and vice versa through one or more intermediate

nodes on the network; ¶ [0004] lines 1-5 for a "playlist" including information about a

number of individual media files; and ¶ [0049] lines 1-9 for each playlist has segments

from different videos stored on different servers. In other words, the RTSP PLAY

request, which is a navigation message to playback between video segments in the

requested playlist, is sent from the client to server through the network nodes includes a

requested playlist, which has equal functional manner as a multidimensional pointer,

associated with a number of different source videos whose segments are within

playlist), said navigation message further including a relative time offset within said

media clip (¶ [0075] lines 8-10); and

transferring digital multimedia content to a digital multimedia device by said network

node from a particular content source identified by said multidimensional pointer (see

Figure 1; ¶ [0046] lines 1-4 and step 1310 in Figure 13), said transferring commencing

at a time indicated (¶ [0102], ¶ [0104] lines 4-8 and ¶ [0105]-[0108]).

Deshpande discloses the received Normal Play Time (npt) value indicating when

to playback each video segment or when to switch to the next video segment (¶ [0105]-

[0108]). However, Deshpande does not explicitly disclose the message including a

timing parameter operable to indicate when said message is to be activated by said

network node.

Schulzrinne (in the memo of RFC2326 - Real Time Streaming Protocol (RTSP))

discloses the RTSP PLAY message from client to server includes fields such as playlist

identifier (URL), Cseq, Section and Range; Range header defines npt, smpte or clock

values and also includes a time parameter specifying a time in UTC at which the

playback should start (section 10.5) or at which the operation is to be made effective

(section 12.29).

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Deshpande's RTSP message to include a time parameter

as taught by Schulzrinne, so to help the system in synchronization of streams obtained

from different sources.

The combined system of Deshpande and Schulzrinne fails to disclose depository

of digital multimedia content is organized into a nested hierarchical arrangement having

a plurality of levels.

Tao discloses the depository of digital multimedia content is organized into a

nested hierarchical arrangement having a plurality of levels to manage a playout control

of a plurality of playlists (abstract, Col 1 lines 44-58 and Figure 10), including playlist

management of a plurality of playlist IDs (Figure 11) to edit a selected playlist (Figure

13) and to create a new playlist (Figure 14) (Col 9 line 65 through Col 10 line 38), clip

management of a plurality of clip IDs (Figure 12) to manage the clips within a selected

playlist (Col 10 lines 41-67). With the hierarchical process level of Tao's depository as

described above, Tao's each playlist is also as a multidimensional pointer associated

with a plurality of media clip IDs.

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention was made to modify the combined system of Deshpande and

Schulzrinne with the teaching of Tao, so to provide readily and organized performance

of editing and displaying playlists.

Regarding claim 4, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system further discloses a first level of said depository of digital multimedia content comprises at least one server-side playlist identified by a uniform resource locator (taught by Deshpande; ¶ [0003] lines 4-8, ¶ [0027] lines 5-6 and ¶ [0049] lines 10-16; and also taught by Schulzrinne; see URLs defined in section 10.5).

Regarding claim 5, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 4. The combined system further discloses at least one server-side playlist includes one or more media clips (taught by Deshpande; ¶ [0049] and ¶ [0112]), each being identified by a corresponding media source identifier and a relative time offset within said media clip (taught by Tao; Figure 12-15; Col 10, lines 54-67 and Col 15, lines 52-56).

Regarding claim 6, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system further discloses the digital multimedia device accesses said network node over at least one of a wire line network, a wireless network, or a cable network (taught by Deshpande; ¶ [0046] lines 4-16 and ¶ [0116]).

Regarding claim 7, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system

further discloses digital multimedia device comprises at least one of: digital music

players, digital video players, computers or handheld communication devices enabled to

accept streaming media (taught by Deshpande; see Figure 14; ¶ [0005] lines 4-9 and ¶

[0114]-[0117]).

Regarding claim 8, Deshpande in view of Schulzrinne and further in view of Tao

discloses the method as discussed in the rejection of claim 1. The combined system

further discloses the timing parameter (taught by Schulzrinne; section 10.5 and 12.9) is

operable to assume a value selected from the group consisting of: NOW, END OF

CLIP, END OF PLAYLIST (The claim language "group consisting of" does not require all

limitations are met. It is taught by Deshpande; ¶ [0106]-[0108] for playing back to back

video segments in the playlist with the npt value indicated when the next segment is

played which means that the next segment is played right at the end frame/clip of the

previous segment. This meets the limitation of "END OF CLIP". Moreover, Schulzrinne

also discloses the normal play time can be set to NOW value for live feed request

(section 3.6). Therefore, the request to play in real-time from the clients with the npt set

to NOW is interpreted as when the request is satisfied corresponding to the NOW value

of the npt time).

Regarding claim 9, all limitations of claimed system in claim 9 are analyzed

corresponding to the functionalities of claim 1. So claim 9 is rejected on the same

ground as claim 1.

Regarding claim 12, all limitations of claimed system in claim 12 are analyzed corresponding to the functionalities of claim 4. So claim 12 is rejected on the same ground as claim 4.

Regarding claim 13, all limitations of claimed system in claim 13 are analyzed corresponding to the functionalities of claim 5. So claim 13 is rejected on the same ground as claim 5.

Regarding claim 14, all limitations of claimed system in claim 14 are analyzed corresponding to the functionalities of claim 6. So claim 14 is rejected on the same ground as claim 6.

Regarding claim 15, all limitations of claimed system in claim 15 are analyzed corresponding to the functionalities of claim 7. So claim 15 is rejected on the same ground as claim 7.

Regarding claim 16, all limitations of claimed system in claim 16 are analyzed corresponding to the functionalities of claim 8. So claim 16 is rejected on the same ground as claim 8.

Regarding claim 17, Deshpande in view of Schulzrinne and further in view of Tao

discloses a digital multimedia device which all functionalities are analyzed and rejected

corresponding to the discussion in the rejection of claim 1. The combined system further

discloses a logic for receiving a Real-Time Streaming Protocol (RTSP)-compliant

PLAYLIST PLAY message (taught by Deshpande; ¶ [0105]-[0108] and ¶ [0113]-[0114])

and a player engine (taught by Deshpande; element 106 in Figure 1 or element 220 in

Figure 2 or elements 1414 and 1416 in Figure 14).

Regarding claim 20, Deshpande in view of Schulzrinne and further in view of Tao

discloses the device as discussed in the rejection of claim 17. The combined system

further discloses a first level of said plurality of media identifier dimensions comprises a

uniform resource locator identifying a server-side playlist (taught by Deshpande; ¶

[0003] lines 4-8, ¶ [0027] lines 5-6 and ¶ [0049] lines 10-16; also taught by Schulzrinne

in the section 10.5).

Regarding claim 21, Deshpande in view of Schulzrinne and further in view of Tao

discloses the device as discussed in the rejection of claim 20. The combined system

further discloses a second level of said plurality of media identifier dimensions

comprises at least one of a media source identifier for identifying a particular media clip

(taught by Tao; see Figure 11-12. Examiner interpreted Figure 11 as the first level of the

plurality of media identifier dimensions because it includes all the playlist identifiers and

Figure 12 as the second level which includes plurality of clip identifiers) within said

server-side playlist (taught by Deshpande; ¶ [0049] for playlist is stored at the server).

Regarding claim 22, Deshpande in view of Schulzrinne and further in view of Tao

discloses the device as discussed in the rejection of claim 21. The combined system

further discloses the multidimensional pointer includes a relative time offset within said

particular media clip (taught by Tao; see Figure 12-15; Col 10 lines 54-67 and Col 15

lines 52-56).

Regarding claim 23, Deshpande discloses the device as discussed in the

rejection of claim 17. The limitations of claim 23 are analyzed and rejected

corresponding to the discussion in the rejection of claim 6.

Regarding claim 24, Deshpande discloses the device as discussed in the

rejection of claim 17. The limitations of claim 24 are analyzed and rejected

corresponding to the discussion in the rejection of claim 8.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to GIGI L. DUBASKY whose telephone number is

(571)270-5686. The examiner can normally be reached on Monday through Thursday

from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/
Supervisory Patent Examiner, Art Unit 2421

GD